| Atty Ref/Docket No.: 2452.013  | Patent and Trademark Office  |
|--|--|
| To the Director of the U.S. Patent 103342594   | 2 Name and address of receiving party/ice):  |
| Name of conveying party(ies):  | 2. Name and address of receiving party(les).   |
| James F. Marino  | Name: Trinity Orthopedics  |
| Additional name(s) of conveying party(ies) attached?   | Street Address: 8817 Production Avenue   |
| [ ]Yes [X]No   | City: San Diego State: CA Zip: 92121   |
| 3. Nature of conveyance:   | Additional name(s) & address(es) attached? []Yes [X]No   |
| [X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other  | 0 U.S. PTO   |
| Execution Date: November 22, 2006  | 3010   |
| 4. Application number(s) or patent number(s):  | ~ <del>************************************</del>  |
| If this document is being filed together with a new application, November 22, 2006   | , the execution date of the application is:  |
| A. Patent Application No.(s)   | B. Patent No.(s)   |
| Additional numbers attached? [ ]Yes [X]No  |  |
| 5. Name and address of party to whom correspondence  | 6. Total number of applications and patents involved: 1  |
| concerning document should be mailed:  | 7. Total fee (37 CFR 3.41):\$ 40.00  |
| Name: Merle W. Richman   | [ ]Enclosed  |
| Address:   | [X]Authorized to be charged to deposit account 19-0743   |
| Schwegman, Lundberg, Woessner & Kluth, P.A. P.O. Box 2938  | 8. Please charge any additional fees or credit any over  |
| Minneapolis, MN 55402-0938   | 8. Please charge any additional fees or credit any over payments to our Deposit Account No.: 19-0743 |
| DO NOT USE   | THIS SPACE   |
| 9. Statement and signature.  To the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief, the foregoing information of the best of my knowledge and belief.   | ation is true and correct and any attached copy is a true copy                                       |
| of the original document.  | 11/2/2006  |
| Merle W. Richman/Reg. No. 38,282 Name of Person Signing  | Signature  Date  Date  H number of pages including cover sheet: 3                                    |
| Tota   | al number of pages including cover sheet: 3 \$ \$  |
| Mail documents to be recorded with required cover sheet infor  | rmation to:  |
| Gammissioner of Patents and Trademarks   | 000<br>130   |
| Mail Stop Assignment Recordation Services  | /29/2006<br>FC:8021  |
| P.O. Box 1450<br>Alexandria, VA 22313-1450   | 11/11  |
| 4 DAVES TO THE STATE OF THE STA |  |

PATENT REEL: 018614 FRAME: 0575

## **ASSIGNMENT**

WHEREAS, I, <u>James F. Marino</u>, residing at <u>2620 St. Tropez Place</u>, <u>La Jolla, CA 92037</u>, made certain new and useful inventions and improvements for which I executed an application for Letters Patent of the United States on <u>even date herewith</u>, which is entitled <u>SPINAL DISTRACTOR</u>, <u>COMPRESSOR</u>, <u>AND ROD ENGAGING SYSTEM AND METHOD</u>;

AND WHEREAS, <u>Trinity Orthopedics</u>, a corporation organized and existing under and by virtue of the laws of the State of <u>Delaware</u>, and having an office and place of business at <u>8817</u> <u>Production Avenue</u>, <u>San Diego</u>, <u>CA 92121</u> (hereinafter "Assignee"), is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted there from, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted there from; and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, I do hereby agree that I and my executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to me relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

PATENT REEL: 018614 FRAME: 0576 Docket No: 2452.013US1 Serial Number: Not Assigned Filing Date: even date herewith

Page 2 of 2

AND, furthermore, I covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22 nd day of Morenber, 2006.

James F. Marino

PATENT REEL: 018614 FRAME: 0577

**RECORDED: 11/24/2006**